

CITY COUNCIL MINUTES
June 23, 2014
REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, June 23, 2014 at 6:00 p.m. with Mayor Powers presiding and City Clerk Stephanie L. Snyder recording the minutes.

CALL TO ORDER at 5:15 p.m.

ROLL CALL:

Council Members Present: Kevin Hanley, J. M. "Mike" Holmes, William W. Kirbitt, Keith Nesbitt, Bridget Powers

Council Members Absent: None

Staff Members Present: City Manager Tim Rundel, City Attorney Michael Colantuono, Public Works Director Bernie Schroeder, Senior Planner Reg Murray, Transit Analyst Megan Siren, Deputy City Clerk Amy Lind, Fire Chief Mark D'Ambrogi, Police Lieutenant Victor Pecoraro, Police Chief John Ruffcorn and Community Development Director Will Wong.

CLOSED SESSION

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6:

MOTION: Nesbitt/ Kirby/ Approved by voice

1. Conference with Labor Negotiators:

(G.C. 54957.6)

Agency Designated Representatives: Tim Rundel

Employee Group: All Bargaining Units

2. Conference with Legal Counsel; Existing Litigation (Gov. Code § 54956.9(d)(1))

Name of Case: David Lawicka v. City of Auburn

Names of Parties or Claimants: David Lawicka

WCAB Nos. ADJ8999797; ADJ8911950; ADJ9120637; ADJ9120557; ADJ9120634

(Workers' Compensation Appeals Board)

REPORT OUT OF CLOSED SESSION

Mayor Powers said there was no reportable action.

PLEDGE OF ALLEGIANCE

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

Mayor Powers presented certificates for retiring Public Works Employees Steve Graybill, Chuck Brannan, and Curtis Simpson.

AGENDA APPROVAL

The agenda was approved by consensus of the Council.

CONSENT CALENDAR

Council Member Holmes requested item 3 be removed from the consent calendar.

1. Minutes

By **MOTION**, approve the City Council minutes of June 9, 2014.

2. Appointment of Economic Development Commissioner

By **RESOLUTION 14-55**, approve the appointment of William Wharton to the EDC.

3. Application for the 2014 HOME program – First Time Home Buyer and Owner Occupied Rehabilitation Programs

Removed from consent calendar, see item 5a.

4. Airport Operation Technician Contract

By **RESOLUTION 14-57**, authorize Amendment No. 2 to the contract with Walt Wilson as the Airport Operations Technician.

5. Corporate Sponsorship for Placer Arts Council “Let’s Never Forget” Event

By **MOTION**, approve the Economic Development Commission’s recommendation of corporate sponsorship of Placer Arts Council “Let’s Never Forget” event for \$5,000.

***** End of Consent Calendar *****

By **MOTION**, approve the consent calendar excluding item 3.
The motion was made by Council Member Hanley and seconded by Council Member Nesbitt, and approved by the following roll call vote:

Ayes: Hanley, Holmes, Kirby, Nesbitt, Powers

Noes:

Abstain:

Absent:

5a. **Application for the 2014 HOME program – First Time Home Buyer and Owner Occupied Rehabilitation Programs**

Council Member Holmes asked for more information on these programs. He also asked about a program that Placer County offers called MPower.

Senior Planner Reg Murray explained how this program has been administered in the past. He addressed the differences between the MPower program and the HOME program.

Council Member Nesbitt explained the difference between the two programs.

Council Member Hanley asked about the method used to get the information out about the program last year.

Reg Murray said they will be putting informative flyers in resident's refuge bill once again this year.

By **RESOLUTION 14-56**, in response to the 2014 HOME NOFA, approve the submittal of an application to HCD requesting funding totaling \$500,000 for a First Time Home Buyer down payment assistance program and an Owner Occupied Rehabilitation program; authorize execution of a standard agreement and any amendments thereto; and designate and authorize the City Manager or Community Development Director to execute, on behalf of the City of Auburn, all HOME related documents.

The motion was made by Council Member Kirby and seconded by Council Member Nesbitt, and approved by the following roll call vote:

Ayes: Hanley, Holmes, Kirby, Nesbitt, Powers

Noes:

Abstain:

Absent:

6. **Public Comment**

Shirley Paris, resident of Auburn, spoke about her concerns over losing 5 SAFER grant firefighting employees.

Joe Little, resident of Auburn, said he read the Comprehensive Annual Financial Report and questioned appropriated funds.

REPORTS

7. **City Committee/ Commission Work Plan and Budget Requests**

Harvey Roper presented the Economic Development Commission (EDC) and Endurance Capital Committee (ECC) work plans. Lee Buckingham reported on the Arts Commission work plan.

Council Member questions followed regarding the EDC: (1) timeline for strategic plan, (2) needs of different business districts in Auburn, (3) communication with the council and public, (4) cost of consultant for strategic plan, and (5) poor highway signage.

Council Member Nesbitt and Kirby addressed the work of the EDC in the upcoming year (both appointed members of the EDC).

Council Member questions followed regarding the ECC: video streaming and co-promotion opportunities with Placer County Visitors Bureau.

Council Member Hanley asked if the Arts Commission had considered a Plein Air competition. Council Member Nesbitt asked about repairs to existing murals.

Council Member Holmes spoke about the work of the Arts Commission in the past year (appointed council liaison of the Arts Commission). He also asked to add \$2,000 to the City Historian budget for additional copies of walking tour maps and other supplies.

PUBLIC HEARINGS

8. **Sewer Rate Study Update Adoption**

Public Works Director Bernie Schroeder presented this item. She said tonight's action item has four purposes: (1) to provide a brief overview of the sewer rate study update, (2) conduct a public hearing per the Prop 218 hearing process for rate increases, (3) to hold a first reading of an ordinance amendment, and (4) to adopt the sewer rate study update.

Council Member questions followed regarding: (1) rate for restaurants, (2) rates based on water consumption, (3) oxidation ditch project costs, and (4) administrative costs with consumption based billing.

Public Comment by residents in opposition of the rate increase:
Dolores Wheeler, Joe Little, Richard Sanborn (specifically the regional sewer project portion), Matt Spokely, David Purcell (representing Southridge HOA), Tom Parks, and Jerry Wilfley (specifically the increase attributed to the regional sewer project).

Bob Snyder, resident of Auburn, spoke in favor of the rate increase.

Bernie Schroeder addressed many of the questions brought up during public comment.

Council Member Kirby spoke about pros and cons of rates based on water usage, saying he supports looking at the issue again. He spoke about the regional pipeline project as an “insurance plan”.

Council Member Nesbitt said he supports a volunteer task force who looks at consumption based rates. He spoke about the reasoning behind purchasing into the regional pipeline.

Council Member Hanley asked about administrative costs to go to the process of water consumption based rates. He spoke to the vehicle purchasing practice. He said he disagrees with the regional pipeline involvement being called an “insurance policy”. He said the Lincoln Plant is not a regional plant, because it does not involve equalization of all rates or a joint powers authority with representation of all parties that determines rates and fees. He spoke of all the capabilities of Auburn’s local plant.

Council Member Holmes said he would like to see a task force formed to take a look at alternatives to the way the rates are established.

Mayor Powers asked about increases over the past years, years without increases, permit requirements and vehicle purchasing practices.

By MOTION, introduce and hold a first reading for an **ORDINANCE** amending Title V, Chapter 52 to the Auburn Municipal Code.

By MOTION adopt an urgency **ORDINANCE 14-01U** amending Title V, Chapter 52 to the Auburn Municipal Code.

The motion was made by Council Member Kirby and seconded by Council Member Nesbitt, and approved by the following roll call vote:

Ayes: Holmes, Kirby, Nesbitt, Powers

Noes: Hanley

Abstain:

Absent:

The consensus of the Council was to have staff create a task force to look at the overall costs of going to a water consumption based rate.

9. **2014/2015 Sewer Assessment to be placed on the Placer County Tax Roll**

Administrative Analyst Megan Siren presented this item.

By **RESOLUTION 14-58**, authorize the levy of sewer service charges for Fiscal Year 2014/15 to be placed on the County of Placer Tax Roll.

The motion was made by Council Member Nesbitt and seconded by Council Member Holmes, and approved by the following roll call vote:

Ayes: Holmes, Kirby, Nesbitt, Powers

Noes: Hanley

Abstain:

Absent:

The Council took a recess at 8:32 p.m. and reconvened at 8:42 p.m.

COUNCIL BUSINESS

10. **Preliminary Report – Operating, Debt Service and Capital Project Budgets for Fiscal Year 2014-15**

City Manager Tim Rundel presented this item. He reviewed the general assumptions, city-wide budget revenues and expenditures, general fund, enterprise fund, committee/commission funding, other considerations and outstanding issues.

Council Member questions followed regarding: (1) reserve balance, (2) capital expenditures, (3) sales tax, (4) overlay program, (5) Palm Ave Sidewalk project, (6) increased worker's compensation costs, (7) SAFER grant, (8) capital improvement projects, (9) funding for committees/commissions (10) the economic forecast, (11) airport fund balance, and (12) impacts of the state budget.

Public Comment:

Sally Dawley, resident of Auburn, had a question about the airport.

Richard Sanborn, resident of Auburn, had a question about the regional sewer pipeline project.

Richard Reed, Labor Representative for Firefighters, Board of Directors from the California State Firefighters Association and Retired Firefighter, spoke about the need for fire staff (160 letters of support included in record).

Robert Snyder, resident of Auburn, spoke about the possibility of a fire tax. He also addressed the need for street overlay projects.

Council Member Hanley asked Mr. Reed about polling of residents regarding a tax increase for fire services.

Bernie Schroeder addressed the funding problem with the road overlay program.

Council Member Kirby said he would like to see the requested funds for the committees/ commissions allocated. He said he would like to look at a fee specifically for fire funding. He spoke about the importance of annexation of North Auburn.

Council Member Holmes agreed with allocating the funds for the committee/ commissions. He suggested reallocating the funds for the public restrooms project in Central Square to help keep two of the SAFER employees on staff.

Council Member Hanley said over the next couple months he would like to see a 2020 plan, which sets city goals for the year 2020 to make expenditures meet revenues in that timeframe. He said he disagrees that a 30% reserve balance is adequate for a city the size of Auburn. He said he would like an analysis on extending the terms of the 5 federally funded firefighters through the fire season (November 1st timeframe). He addressed the possibility of a fire tax on the ballot by residents.

Council Member Nesbitt said he supports looking at ways to keep at least a couple of the firefighters for a few months. He said he agrees with a possible fire tax by citizens on the ballot. He said the city needs to look at restructuring and economic development.

Mayor Powers said she would like to see a presentation from the Fire Chief on the feasibility of the SAFER grant employees.

Council Member Holmes talked about applying for and renewing the SAFER grant next year.

Council Member comments followed regarding the SAFER grant employees and a possible citizen driven fire tax initiative.

11. **Adoption of Interim Budgetary Spending Authority for Fiscal Year 2014-15**

City Manager Tim Rundel presented this item.

By **RESOLUTION 14-59**, adopt interim spending authority for Fiscal Year 2014-15 for all City funds pending adoption of the final Fiscal Year 2014-15 Operating and Capital Budgets.

The motion was made by Council Member Hanley and seconded by Council Member Holmes, and approved by the following roll call vote:

Ayes: Hanley, Holmes, Kirby, Nesbitt, Powers

Noes:
Abstain:
Absent:

12. **Clairvoyants and Fortune-Telling License Tax**

City Attorney Michael Colantuono presented this item. He said there are two outdated ordinances in the municipal code regarding clairvoyants and fortune telling.

Council Member Hanley asked the Police Chief if there are any public safety concerns that lead to this ordinance.

By MOTION, repeal section 33.051 regarding the \$100 a week tax for this industry.

The motion was made by Council Member Hanley and seconded by Council Member Nesbitt, and approved by the following roll call vote:

Ayes: Hanley, Holmes, Kirby, Nesbitt, Powers
Noes:
Abstain:
Absent:

COUNCIL REPORTS

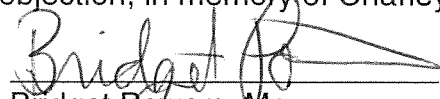
13. **City Council Committee Reports**

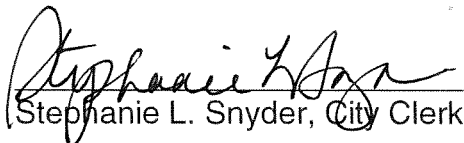
Council Member Nesbitt reported on the Capital Corridors JPA and the possibility of a train to Auburn.

Council Member Holmes reported on the League of California Cities policy committees meetings he attended in the last week. He suggested the City Manager attend as the delegate at the League Conference this year.

ADJOURNMENT

Mayor Powers adjourned the meeting, without objection, in memory of Charley Fink at 10:10 p.m.


Bridget Powers, Mayor


Stephanie L. Snyder, City Clerk